

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

|                               |   |                                   |
|-------------------------------|---|-----------------------------------|
| EDNA MARTIN and               | ) |                                   |
| MURRAY MARTIN,                | ) |                                   |
|                               | ) |                                   |
| Plaintiffs,                   | ) |                                   |
|                               | ) |                                   |
| v.                            | ) | Civil Action No. 1:08-cv-0096-WKW |
|                               | ) |                                   |
| THE UNITED STATES OF AMERICA, | ) |                                   |
| et. al.,                      | ) |                                   |
|                               | ) |                                   |
| Defendants.                   | ) |                                   |

**REPORT OF PARTIES' PLANNING MEETING**

1. **Appearances.** Pursuant to Fed. R. Civ. P. 26(f), the parties identified herein conferred on May 9, 16, 20 and 22, 2008:

|  |  |
|--|--|
| M. Dale Marsh<br>Attorney for Plaintiff                    | R. Randolph Neeley<br>Attorney for Defendant United States |
| Caroline T. Pryor<br>Attorney for Defendant G & K Services | Heather Houston<br>Attorney for Defendant G & K Services   |
  
2. **Pre-Discovery Disclosures.** The parties will exchange by June 12, 2008, the information required by Fed. R. Civ. P. 26(a)(1).
  
3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:
  - a. Discovery will be needed on the following subjects:
    1. All information pertaining to Plaintiff' claims and damages.
    2. All information pertaining to Defendants' defenses.
    3. All information pertaining to Defendant United States' cross - claim against Defendant G & K Services, Inc.
    4. All information pertaining to contract(s) between Defendant United States' and Defendant G & K Services, Inc.

- b. All discovery commenced in time to be completed by February 2, 2009.
- c. There will be a maximum of 25 interrogatories by each party to any other party. The responses will be due 30 days after service.
- d. There will be a maximum of 30 requests for production of documents by each party to any other party. The responses will be due 30 days after service.
- e. There will be a maximum of 25 requests for admission by each party to any other party. Responses will be due 30 days after service.
- d. The parties agree that no more than 15 depositions may be taken by Plaintiffs and that no more than 10 depositions may be taken by each Defendant without leave of the court or agreement of the parties. Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties.
- e. Reports from retained experts under Rule 26(a)(2) will be due from Plaintiff by August 4, 2008 and from Defendants by October 3, 2008.
- f. Supplementation of the disclosures under Rule 26(e) will be due within 30 days before the end of the discovery period.

4. **Other items.**

- a. **Scheduling Conference**  
The parties do not request a conference with the court before entry of the scheduling order.
- b. **Pretrial Conference**  
The parties request a pretrial conference in early March, 2009.
- c. **Additional Parties, Claims and Defenses**  
The parties must join additional parties and amend the pleadings by July 1, 2008.
- d. **Dispositive Motions**  
All potentially dispositive motions should be filed by December 2, 2008.
- e. **Settlement**  
Settlement and the possibility of mediation cannot be evaluated until such time as substantial discovery has been completed.
- f. **Trial Evidence**

The final list of witnesses and trial evidence under Rule 26(a)(3) should be due three weeks before trial. The parties should have 10 days after service to list objections under Rule 26(a)(3).

g. **Trial Date**

This case should be ready for trial by April 13, 2009, and at this time is expected to take approximately 3 days of trial time.

I hereby certify that all parties agree that the foregoing be submitted electronically to the Clerk of the Court by Defendant United States on this 22<sup>nd</sup> day of May, 2008.

LEURA G. CANARY  
UNITED STATES ATTORNEY

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 22, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Plaintiff's attorney, M. Dale Marsh and counsel for Defendant G & K Services, Inc., Carolyn T. Pryor and Heather Houston.

s/R. Randolph Neeley  
Assistant United States Attorney